

CHAPTER 8 INDUSTRIAL DISTRICTS

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800 COMMERCIAL-LIGHT MANUFACTURING DISTRICTS (C-M)

- 800.1 The Commercial-Light Manufacturing (C-M) Districts are intended to provide sites for heavy commercial and light manufacturing activities employing large numbers of people and requiring some heavy machinery under controls that minimize any adverse effect on other nearby, more restrictive districts.
- 800.2 Heavy truck traffic and loading and unloading operations are expected to be characteristic of C-M Districts.
- 800.3 The three (3) C-M Districts provide a varying schedule for both density and height controls. They shall be mapped throughout the District of Columbia, and shall embrace areas used for low density warehousing as well as areas presently improved with both high and medium density buildings in warehousing, light manufacturing, office, and automotive usage.
- 800.4 Except as is explicitly provided in § 801, no new dwelling shall be permitted in a C-M District.

800.5 Except as provided in chapters 20 through 25 of this title, in a C-M District, no building or premises shall be used and no building shall be erected or altered that is arranged, intended, or designed to be used except for one (1) or more of the uses listed in §§ 801 through 803.

800.6 No use specifically prohibited in an M District shall be permitted in a C-M District.

AUTHORITY: Unless otherwise noted, the authority for this chapter is The Zoning Act of 1938, approved June 20, 1938 (52 Stat. 797, as amended; D.C. Official Code §§ 6-641.01 to 6-641.15 (formerly codified at D.C. Code §§ 5-413 to 5-432 (1994 Repl. & 1999 Supp.))).

SOURCE: §§ 6101.1 and 6101.2 of the Zoning regulations, effective May 12, 1958; as amended by: Final Rulemaking published at 27 DCR 2066, 2071 (May 16, 1980); Final Rulemaking published at 28 DCR 3482, 3505 (August 7, 1981); Final Rulemaking published at 30 DCR 3270, 3275 (July 1, 1983); Final Rulemaking published at 32 DCR 4374, 4378 (July 26, 1985); Final Rulemaking published at 35 DCR 465, 467 (January 22, 1988); and Final Rulemaking published at 47 DCR 9741-43 (December 8, 2000), incorporating by reference the text of Proposed Rulemaking published at 47 DCR 8335, 8414 (October 20, 2000).

801 USES AS A MATTER OF RIGHT (C-M)

801.1 The uses set forth in this section shall be permitted in a C-M District as a matter of right.

801.2 Any commercial use permitted in the C-4 District under § 751, except establishments whose principal use is the administration of massages, sexually-oriented business establishments, and international organizations, shall be permitted as a matter of right in a C-M District. For purposes of this subsection, a community-based residential facility shall not be considered a commercial use.

801.3 Any dwelling existing on May 12, 1958, shall be permitted as a matter of right in a C-M District; provided, any addition to or enlargement of the dwelling shall conform with the yard, court, and percentage of lot occupancy standards for an R-3 District; and provided further, any increase in the building area of the dwelling shall be based upon a lot of a size not greater than that existing on May 12, 1958.

801.4 An apartment for the use of a caretaker, watchman, or janitor employed on the premises shall be permitted as a matter of right in a C-M District.

801.5 An apartment integrated with and accessory to an artist studio shall be permitted as a matter of right in a C-M District; provided, occupancy of the apartment shall be limited to the artist using the studio portion of the premises and the family of the artist.

801.6 A hotel or inn shall be permitted as a matter of right in a C-M District.

- 801.7 The following additional uses shall be permitted as a matter of right in a C-M District, subject to the standards of external effects in § 804:
- (a) Carting, express, moving, or hauling terminal or yard;
 - (b) Commercial athletic field;
 - (c) Experimental, research, or testing laboratory;
 - (d) Incinerator;
 - (e) Motorcycle sales and repair, with no limitation on location;
 - (f) Laundry or dry cleaning establishment, without limitation on gross floor area;
 - (g) Public utility pumping station;
 - (h) Repair garage;
 - (i) Wholesale or storage establishment, including open storage, except a junk yard;
 - (j) Any light manufacturing, processing, fabricating, or repair establishment;
 - (k) Temporary detention or correctional institution on leased property for a period not to exceed three (3) years; and
 - (l) An Electronic Equipment Facility (EEF), provided an EEF exceeding twenty-five (25%) of the gross floor area of a building shall not be located within eight hundred feet (800 ft.) of an established or planned Metrorail station or within one thousand, two hundred and fifty feet (1,250 ft.) of the edge of a river as measured at mean high tide.
- 801.8 Accessory uses and accessory buildings customarily incidental to the uses otherwise authorized by §§ 801 through 803 shall be permitted as a matter of right in a C-M District, including mechanical amusement machines subject to § 2501.
- 801.9 Yards, buildings, and structures for the repair, maintenance, and storage of equipment related to a fixed right-of-way mass transit system shall be permitted as a matter of right in a C-M District.
- 801.10 A drive-through accessory to a fast food restaurant, delicatessen, or carryout shall be permitted in a C-M District, subject to § 2304.

SOURCE: § 6101.3 of the Zoning regulations, effective May 12, 1958; as amended by: Final Rulemaking published at 22 DCR 1901, 1903 (October 14, 1975); Final Rulemaking published at 24 DCR 5144, 5147 (December 16, 1977); Final Rulemaking published at 28 DCR 3482, 3505 (August 7, 1981); Final Rulemaking published at 30 DCR 3270, 3275 (July 1, 1983); Final Rulemaking published at 32 DCR 4374, 4378 (July 26, 1985); Final Rulemaking published at 35 DCR 465, 467 (January 22, 1988); Final Rulemaking published at 47 DCR 9741-43 (December 8, 2000), incorporating by reference the text of Proposed Rulemaking published at 47 DCR 8335, 8414-15 (October 20, 2000); Final Rulemaking published at 48 DCR 9830, 9835 (October 26, 2001); and Final Rulemaking published at 49 DCR 1655 (February 22, 2002), incorporating by reference Proposed Rulemaking published at 48 DCR 11159, 11162 (December 7, 2001).

802 SPECIAL EXCEPTIONS (C-M)

- 802.1 The uses in this section shall be permitted as special exceptions in a C-M District if approved by the Board of Zoning Adjustment under § 3104, subject to the provisions of this section.
- 802.2 Any establishment whose principal use is the administration of massages shall be permitted; provided:
- (a) The establishment shall be compatible with other uses in the area;
 - (b) The use shall not be objectionable because of its effect on the character of the neighborhood or because of noise, traffic, or other conditions; and
 - (c) The establishment shall not have an adverse impact on religious, educational, or other institutional facilities located in the area.
- 802.3 An Intermediate Materials Recycling Facility shall be permitted; provided:
- (a) No portion of the facility, including any structure, loading docks and truck bays, storage, transfer equipment, truck parking, or other similar processing equipment and operations, shall be located within two hundred feet (200 ft.) of a residential property line;
 - (b) The use shall not have unacceptable adverse impacts on the character of the neighborhood due to noise, traffic, parking, odor, or other objectionable conditions. There shall be no truck access or queuing to the site from residential streets. The facility shall comply with the "Standards of External Effects (C-M)" in § 804 and the District of Columbia Noise Control Act of 1977, effective March 16, 1978, D.C. Law 2-53, as amended, and Standards; 20 DCMR chapters 27 – 29;

- (c) The facility shall be enclosed on all sides by a fence or wall at least ten feet (10 ft.) high. The public view side and the side of the facility facing Residence Districts shall be landscaped and have an opaque screen, fence, or wall, not less than ten feet (10 ft.) high. The site shall be secured from unauthorized entry and removal of materials when attendants are not present;
- (d) The site shall be maintained free of litter, trash, debris, and any other nonrecyclable materials;
- (e) The facility shall provide on-site parking and queuing as follows:
 - (1) Space shall be provided on-site to park each commercial vehicle operated by the facility;
 - (2) One employee parking space shall be provided for each commercial vehicle operated by the facility;
 - (3) If the facility serves the public, all parking and queuing space shall be provided on-site to accommodate projected peak demand;
 - (4) Additional parking, truck maneuvering, or queuing space may be required by the Board after considering the applicant's analysis of the needs and the reports of the D.C. Department of Transportation and the Office of Planning;
 - (5) No parking, queuing, or standing of trucks will be permitted on residential streets;
- (f) All storage of waste or recycled materials shall be in sturdy containers or enclosures that are fully covered, secured, and maintained in good condition. Storage containers for waste or recycled flammable materials shall be approved by the Fire and Emergency Medical Services Department. No storage containers outside the facility structures shall be visible above the height of a required fence or wall. Outside storage shall only be permitted for a reasonable period of time and in reasonable quantities to allow for separation, conversion, baling, processing, and shipment of processed and nonprocessed materials;
- (g) If the facility is located within five hundred feet (500 ft.) of a Residence District, it shall not be in operation between 7:00 p.m. and 7:00 a.m. Hours of operation shall include the arrival and departure of trucks and delivery and removal of materials and equipment. The facility shall be administered by on-site personnel during the hours the facility is open. Intermediate Materials Recycling Facilities shall not operate on Sunday;

- (h) Intermediate Materials Recycling Facilities shall comply with all environmental permit requirements established by the District of Columbia government; and
- (i) The Board may impose conditions pertaining to design, screening, buffering, lighting, soundproofing, signs, methods and hours of operation, or any matter necessary to protect adjacent and nearby property, and special consideration will be given to protecting residential property from excessive noise and traffic.

802.4 Any establishment to be used as a solid waste handling facility shall be permitted only if the following requirements are met:

- (a) No portion of the facility, including any structure, loading dock, truck bay, storage container, transfer equipment, or any other processing equipment or operation, shall be located within three hundred feet (300 ft.) of a property in a Residence District used for residential purposes or within fifty feet (50 ft.) of any adjacent property used as a public park or for retail, office, or institutional purposes;
- (b) No truck access to or egress from the site shall be located within fifty feet (50 ft.) of any adjacent property used as a public park or for residential, retail, office, or institutional purposes;
- (c) The facility shall be designed to have access to a railway siding or spur to enable the transportation by rail of solid waste out of the District of Columbia. Solid waste shall be shipped from a facility by rail, except that shipping of solid waste by truck may be permitted by the Board, if the Board finds that the applicant has demonstrated by substantial evidence that the use of rail is not practically, economically, or physically feasible;
- (d) The site shall be of sufficient size so as to permit the avoidance or reduction of adverse impacts on the character of the neighborhood due to noise, traffic, parking, odors, rodents and other disease vectors, dust, litter, fire hazard, decomposition gases, vehicle and other pollution, or other hazards or objectionable conditions;
- (e) The applicant shall provide credible evidence to the Board to demonstrate the ability of the facility and its ancillary elements to comply with all applicable regulations. The evidence shall include, but not be limited to, the following:
 - (1) An indication of the site and description of land uses within one fourth ($\frac{1}{4}$) of a mile;

- (2) A site plan showing the layout of the proposed facility, including main buildings, fences, and screens, access to rail if available, street access, parking and queuing areas, and a functional diagram indicating the proposed use of the site;
 - (3) An operating plan indicating types of waste to be accepted at the facility and estimates of the volume and number of trips of incoming and outgoing materials daily and during peak periods;
 - (4) A plan for preventing and controlling offensive noises, odors, rodents and other disease vectors;
 - (5) A traffic study that indicates truck routes to and from the facility on streets, to the extent possible, that are major arterials and highways that do not abut residential neighborhoods along the way, with the objective of minimizing potential adverse impacts on adjacent neighborhoods; and
 - (6) A certified statement by an architect or engineer licensed in the District of Columbia that the facility as sited and designed to the best of his or her professional knowledge and belief is capable of complying with this subsection and all other applicable regulations of the District of Columbia government including without limitation, regulations adopted pursuant to the Solid Waste Facility Permit Act of 1995, effective February 27, 1996 (D.C. Law 11-94, as amended; D.C. Official Code §§ 8-1051 to 8-1063 (formerly codified at D.C. Code §§ 6-3451 to 6-3463 (1999 Supp.)));
- (f) There shall be no truck access, parking, standing, or queuing to the facility from any street or block-long portion of a street for which fifty percent (50%) or more of the abutting properties on either side are used for residential purposes. No truck dumping or picking up solid waste shall park, stand, or queue for the facility from any public right-of-way. Vehicular traffic resulting from operations at the facility shall not obstruct traffic. The location of the facility shall provide access from a paved street with a road base capable of withstanding anticipated load limits;
- (g) The facility shall also be subject to the "Standards of External Effects (C-M)" in § 804 and the District of Columbia Noise Control Act of 1977 (D.C. Law 2-53, as amended, and Standards, 20 DCMR chapters 27 - 29;

- (h) All solid waste handling activities, including depositing, processing, separation, and loading shall be within a fully enclosed building to minimize the adverse impacts due to noise, traffic, parking, odors, rodents and other disease vectors, dust, litter, fire hazard, decomposition gases, wastewater, vehicle and other pollution, or other hazards or objectionable conditions;
- (i) The facility shall be enclosed on all sides by an opaque fence or wall at least ten feet (10 ft.) high. The facility shall be secured from unauthorized deposit and removal of solid waste or other materials when attendants are not present; and
- (j) The facility shall provide on-site parking and queuing as follows:
 - (1) Space shall be provided on-site to park each commercial vehicle operated by the facility;
 - (2) One employee parking space shall be provided for each commercial vehicle lawfully parked on the site after operating hours;
 - (3) If the facility serves the public, all parking and queuing space shall be provided on-site to accommodate projected peak demand; and
 - (4) Additional parking, truck maneuvering, or queuing space may be required by the Board after considering the applicant's analysis of such needs and the reports of the D.C. Department of Transportation and the Office of Planning. However, at a minimum, the facility shall be configured in such a manner that trucks entering or leaving the facility shall not back in from or back out onto any public right-of-way.

802.5 The Board may proscribe or require specific operating hours for the facility and the use of any street or highway for trucks entering or leaving the facility to lessen traffic congestion and otherwise assure the quiet enjoyment of residential uses adjacent to a facility.

802.6 Nothing in this section shall preclude the Board from imposing additional or more strict conditions pertaining to design, screening, buffering, lighting, soundproofing, signs, or any matter necessary to protect adjacent property. Special consideration will be given to protecting residential property from excessive noise and traffic.

- 802.7 In determining whether to grant a special exception, the Board shall not take into consideration whether the District of Columbia issued the applicant an interim-operating permit for the facility. The granting of a special exception to a facility does not authorize that facility to operate, unless the facility has been granted all other forms of permission required for solid waste handling facilities, including, but not limited to, a valid interim operating permit or solid waste facility permit. A solid waste handling facility that has been granted a special exception remains obligated to abide by all laws applicable to solid waste handling facilities and is subject to all claims or enforcement actions that may arise from violations of such laws.
- 802.8 Any otherwise valid interim permit issued by the District government to the operator of a solid waste handling facility shall be given effect by the Board only during the pendency of the Board's consideration of an application. In the event the Board denies the application, the continued operation of the facility shall be unlawful. In the event the Board grants an application, it may provide the applicant a reasonable time in which to construct the facility as approved by the Board.
- 802.9 For purposes of this section, "solid waste" shall not include hazardous waste, which shall be subject to compliance with other regulations.
- 802.10 An Electronic Equipment Facility (EEF) that does not qualify as a matter-of-right use under § 801.7(D) may be permitted as a special exception in a C-M District if approved by the Board of Zoning Adjustment under § 3104, subject to the requirements of §§ 802.11 through 802.16.
- 802.11 An EEF shall be subject to the Standards of External Effects in § 804.
- 802.12 An applicant seeking a special exception for an EEF shall demonstrate, in addition to the requirements of § 3104, that the proposed use will not, as a consequence of its design, operation, low employee presence, or proximity to other EEFs, inhibit future revitalization of the neighborhood, reduce the potential for vibrant streetscapes, deplete street life, or inhibit pedestrian or vehicular movement.
- 802.13 In evaluating whether an EEF will have any of the adverse impacts described in § 802.12, the Board shall consider, in addition to other relevant factors, the:
- (a) Absence of retail uses or of a design capable of accommodating retail uses in the future;
 - (b) Presence of security or other elements in the design that could impair street life and pedestrian flow;
 - (c) Disruption of existing or elimination of officially proposed pedestrian or vehicular routes; and

(d) Inability of the EEF to be adapted in the future for permitted uses.

802.14 The Board, in weighing the potentially adverse factors listed in § 802.13(a) through (d), shall consider the economic development potential of the area in which the EEF is proposed to be established and shall give greater negative weight to these factors if the EEF is to be located in proximity to an existing or proposed Metrorail station or along a pedestrian corridor.

802.15 The Board may give positive weight to any economic benefits that the proposed EEF will have on adjacent properties, including the potential for increased business activity within the neighborhood, if that activity will foster economic development.

802.16 The Board may impose requirements pertaining to design, appearance, landscaping, parking, and other such requirements as it deems necessary to protect adjacent property and to achieve an active, safe, and vibrant street life.

SOURCE: §§ 6101.36 and 6101.41 of the Zoning regulations, effective May 12, 1958; as amended by: Final Rulemaking published at 22 DCR 1901, 1903 (October 14, 1975); Final Rulemaking published at 40 DCR 1951, 1952 (March 19, 1993); Final Rulemaking published at 45 DCR 1848, 1849 (March 27, 1998); Final Rulemaking published at 47 DCR 9741-43 (December 8, 2000), incorporating by reference the text of Proposed Rulemaking published at 47 DCR 8335, 8415-17 (October 20, 2000); Final Rulemaking published at 48 DCR 9830, 9835-36 (October 26, 2001); and Final Rulemaking published at 49 DCR 1655 (February 22, 2002), incorporating by reference the text of Proposed Rulemaking published at 48 DCR 11159, 11162-63 (December 7, 2001).

803 ACCESSORY PARKING SPACES (C-M)

803.1 Accessory parking spaces, except for a motel, wholly within three hundred feet (300 ft.) of the lot or part of the lot on which the principal use is permitted, shall be permitted as a special exception in a C-M District when those parking spaces are approved by the Board of Zoning Adjustment in accordance with the requirements of §§ 213.3 through 213.5 and 3104.

SOURCE: § 6101.8 of the Zoning regulations, effective May 12, 1958; as amended by Final Rulemaking published at 47 DCR 9741-43 (December 8, 2000), incorporating by reference the text of Proposed Rulemaking published at 47 DCR 8335, 8417 (October 20, 2000).

804 STANDARDS OF EXTERNAL EFFECTS (C-M)

804.1 All uses established in a C-M District under authority of § 801.7 and any uses accessory to those uses shall be operated so as to comply with the standards of external effects in this section.

804.2 The volume of sound inherently and recurrently generated shall not exceed the standards in §§ 804.3 through 804.6 at any point along the boundaries of the zone district in which the use is located.

- 804.3 Sound levels shall be measured with a sound level meter and associated octave band filter manufactured according to standards prescribed by the American Standards Association on May 12, 1958.
- 804.4 Objectionable sounds of an intermittent nature shall be controlled so as not to become a nuisance to adjacent uses.
- 804.5 [DELETED]
- 804.6 Except as provided in § 804.7, maximum sound pressure levels shall not exceed those provided in the following table:

OCTAVE BAND (cycles per second)	MAXIMUM SOUND PRESSURE LEVEL IN DECIBELS (0.0002 dynes per square centimeter)
0-74	72
75-149	67
150-299	59
300-599	52
600-1,199	46
1,200-2,399	40
2,400-4,800	34
Above 4,800	32

- 804.7 Where a C-M District abuts an M District, the standards in § 825 shall apply along the zone boundary separating the C-M and M Districts.
- 804.8 The emission of any smoke from any source to a density greater than that density described as No. 2 on the Ringelmann Smoke Chart shall be prohibited. The Ringelmann Smoke Chart, published by the Bureau of Mines, U.S. Department of the Interior, in Information Circular 8333, shall be adopted by reference and made a part of this title.
- 804.9 The emission of any odorous gases or other odorous matter or steam in quantities that are offensive or noisome at any point along the boundaries of the zone district in which the use is located shall be prohibited.
- 804.10 No noxious, toxic, or corrosive fumes or gases shall be permitted to escape or to be discharged from any use permitted in a C-M District.
- 804.11 No objectionable amounts of cinders, dust, or fly-ash shall be permitted to escape or to be discharged from any use permitted in a C-M District.

- 804.12 No direct or reflected glare or heat from any source shall be detectable in objectionable amounts beyond the boundaries of the zone district in which the use is located.
- 804.13 Every use shall be operated so that ground vibration inherently and recurrently generated is not perceptible, without instruments, at any point along any boundary of the zone district in which the use is located.
- 804.14 Where an Electronic Equipment Facility (EEF) use is proposed in a C-M District on a lot that abuts a Residence (R), Special Purpose (SP), Waterfront (W), or Mixed Use (CR) zoned property, the following conditions shall apply:
- (a) Use of barbed or razor wire that is visible from neighboring property or public space is prohibited; and
 - (b) Any back-up generators or power systems shall be either:
 - (1) Fully enclosed within the principal structure; or
 - (2) Located no closer than two hundred feet (200 ft.) from the nearest R, SP, W, or CR zoned property line.

SOURCE: § 6101.6 of the Zoning regulations, effective May 12, 1958; as amended by Final Rulemaking published at 47 DCR 9741-43 (December 8, 2000), incorporating by reference the text of Proposed Rulemaking published at 47 DCR 8335, 8417-8418 (October 20, 2000); and Final Rulemaking published at 48 DCR 9830, 9836-37 (October 26, 2001).

805 EXTERNAL EFFECTS PERMIT APPLICATIONS (C-M)

- 805.1 When filing an application for a building permit or certificate of occupancy with the Department of Consumer and Regulatory Affairs for a use permitted under § 801.7, the applicant shall submit with the application three (3) copies of:
- (a) A site plan showing buildings and other structures, roadways, drainage and sanitary facilities, parking spaces, loading berths, landscaping, and exterior lighting, and back-up generators or power supplies (if any); and
 - (b) A description of any operations that would be subject to the standards of external effects in § 804.
- 805.2 The applicant shall submit any other information as may be necessary to determine compliance with § 804.
- 805.3 The approved site plan shall become a part of the building permit or certificate of occupancy.

SOURCE: § 6101.7 of the Zoning regulations, effective May 12, 1958; as amended by Final Rulemaking published at 47 DCR 9741-43 (December 8, 2000), incorporating by reference the text of Proposed Rulemaking published at 47 DCR 8335, 8418 (October 20, 2000); and Final Rulemaking published at 48 DCR 9830, 9837 (October 26, 2001).

806 LANGDON OVERLAY DISTRICT (LO)

- 806.1 The Langdon Overlay (LO) District shall apply to the C-M-1 zoned properties of Squares 4103, 4106, 4107(3), 4108, 4255, 4256, 4265, 4282, 4284, and 4347 (west of the B&O Railroad right-of-way) in the general vicinity of 24th and Douglas Streets, N.E.
- 806.2 The purposes of the LO District shall be to:
- (a) Implement the Comprehensive Plan by protecting residences and residents from the adverse environmental, safety, and aesthetic impacts of abutting industrially zoned properties and uses; and
 - (b) Encourage retention of existing commercial and light manufacturing uses and allow new businesses under special controls designed to protect the quality of life and neighborhood character of the adjacent residential neighborhood.
- 806.3 The LO District and the underlying C-M District shall together constitute the zoning regulations for the geographic area identified in § 806.1. Where there is a conflict between this section and the underlying zoning, the provisions of this section shall govern.
- 806.4 The following uses shall be prohibited in the LO District on any lot located in whole or in part within one hundred feet (100 ft.) of a Residence District:
- (a) Any use prohibited in the Mixed Use (CR) District by § 602;
 - (b) Outdoor materials storage or outdoor processing, fabricating, or repair, whether a principal or accessory use; and
 - (c) Incinerator.
- 806.5 The following yard and screening standards shall apply to development of a lot in the LO District that coincides with the lot line of a property in a Residence District or that is separated only by a street or alley from a property in a Residence District:
- (a) A yard of twenty-five feet (25 ft.) shall be provided on the portion of the lot adjacent to the Residence District; provided:
 - (1) Where there is a street or an alley between the residential and industrial lots, the required yard shall be fifteen feet (15 ft.) measured from the lot line; and

- (2) The yard shall not be used for parking, loading, or accessory uses;
- (b) A fence or wall shall be erected as a buffer between the residential and industrial lots, as follows:
 - (1) Where the residential and industrial lots abut each other, or where there is a street separating the residential and industrial lots, the fence or wall shall be erected along the required fifteen-foot (15 ft.) setback line, or a building wall may be located at the setback line in place of the fence or wall;
 - (2) Where an alley serves as the residential-industrial zone district boundary, the fence or wall shall be erected along the lot line adjacent to the alley; and
 - (3) The fence or wall shall be no less than eight feet (8 ft.) and no more than ten feet (10 ft.) high, and shall be either a solid, wood or board-on-board fence or a brick or stone wall;
- (c) Whenever a yard is required by paragraph (a) of this subsection, it shall be landscaped with evergreen trees; provided:
 - (1) The landscaping shall be maintained in a healthy, growing condition;
 - (2) The trees shall be a minimum of six feet to eight feet (6 ft. to 8 ft.) high when planted; and
 - (3) Planting locations and soil preparation techniques shall be shown on a landscape plan submitted with the building permit application to the Department of Consumer and Regulatory Affairs for review and approval according to standards maintained by the Department's Soil Erosion and Storm Management Branch, which may require replacement of heavy or compacted soils with top and drainage mechanisms as necessary.

806.6 The Board of Zoning Adjustment, after public hearing, may waive or vary the requirements of this chapter relating to building setback, landscaping, fencing, and parking, as a special exception under § 3104; provided the proposed variations in standards are generally consistent with this chapter.

SOURCE: Final Rulemaking published at 38 DCR 2057 (April 5, 1991); as amended by Final Rulemaking published at 47 DCR 9741-43 (December 8, 2000), incorporating by reference the text of Proposed Rulemaking published at 47 DCR 8335, 8418-20 (October 20, 2000).

807 - 819 [RESERVED]

820 GENERAL INDUSTRY DISTRICTS (M)

- 820.1 The General Industry (M) Districts are designed to provide areas suitable for development as heavy industrial sites, but at the same time protect those industrial developments from the intrusion of non-industrial uses that impede the full utilization of properly located industrial sites.
- 820.2 Except as provided in § 821.2, no new residential building shall be permitted in M Districts.
- 820.3 Since the zoning regulations relative to operation of permitted uses are only those minimally required to protect nearby industrial and commercial uses, M Districts, whenever possible, shall not be mapped adjacent to Residence Districts.
- 820.4 Other than certain specifically prohibited uses, any use conforming to specified standards of external effects shall be permitted in the M Districts.
- 820.5 Except as provided in chapters 20 through 25 of this title, in an M District, no building or premises shall be used and no building shall be erected or altered that is arranged, intended, or designed to be used except for one (1) or more of the uses in §§ 821 through 824.

SOURCE: §§ 6102.1 and 6102.2 of the Zoning regulations, effective May 12, 1958; as amended by Final Rulemaking published at 47 DCR 9741-43 (December 8, 2000), incorporating by reference the text of Proposed Rulemaking published at 47 DCR 8335, 8420 (October 20, 2000).

821 USES AS A MATTER OF RIGHT (M)

- 821.1 The uses in this section shall be permitted as a matter of right in M Districts.
- 821.2 Any uses permitted in a C-M District under §§ 801.2 and 801.4 through 801.10.
- 821.3 Any other lawful use not regulated by §§ 822 or 823 shall be permitted, subject to the standards of external effects in § 825.
- 821.4 Accessory uses and accessory buildings customarily incidental to the uses in this section, including mechanical amusement machines subject to § 2501, shall be permitted.
- 821.5 A drive-through accessory to a fast food restaurant, delicatessen, or carry-out shall be permitted in an M District, subject to § 2304.
- 821.6 An Intermediate Materials Recycling Facility shall be permitted; provided:

- (a) No portion of the facility, including any structure, loading docks and truck bays, storage, transfer equipment, truck parking, or other similar processing equipment and operations, shall be located within two hundred feet (200 ft.) of a residential property line;
- (b) There shall be no truck access or queuing to the site from residential streets. The facility shall comply with the "Standards of External Effects (M)" in § 825 and the District of Columbia Noise Control Act of 1977, effective March 16, 1978 (D.C. Law 2-53, as amended), and Standards, 20 DCMR chapters 27 - 29;
- (c) The facility shall be enclosed on all sides by a fence or wall at least ten feet (10 ft.) high. The public view side or the side of the facility facing Residence Districts shall be landscaped and have an opaque screen, fence or wall not less than ten feet (10 ft.) high. The site shall be secured from unauthorized entry and removal of materials when attendants are not present;
- (d) The site shall be maintained free of litter, trash, debris, and any other nonrecyclable materials;
- (e) The facility shall provide on-site parking and queuing, as follows:
 - (1) Space shall be provided on-site to park each commercial vehicle operated by the facility;
 - (2) One employee parking space shall be provided for each commercial vehicle operated by the facility;
 - (3) If the facility serves the public, all parking and queuing space shall be provided on-site to accommodate projected peak demand; and
 - (4) No parking, queuing, or standing of trucks will be permitted on residential streets;
- (f) All storage of waste or recycled materials shall be in sturdy containers or enclosures that are fully covered, secured, and maintained in good condition. Storage containers for waste or recycled flammable materials shall be approved by the Fire and Emergency Medical Services Department. No storage containers outside the facility structures shall be visible above the height of a required fence or wall. Outside storage shall only be permitted for a reasonable period of time and in reasonable quantities to allow for separation, conversion, baling, processing, and shipment of processed and nonprocessed materials;

- (g) If the facility is located within five hundred feet (500 ft.) of a Residence District, it shall not be in operation between 7:00 p.m. and 7:00 a.m. Hours of operation shall include the arrival and departure of trucks and delivery and removal of materials and equipment. The facility shall be administered by on-site personnel during the hours the facility is open. Intermediate Materials Recycling Facilities shall not operate on Sunday; and
- (h) Intermediate Materials Recycling Facilities shall comply with all environmental permit requirements of the District of Columbia government.

SOURCE: § 6102.3 of the Zoning regulations, effective May 12, 1958; as amended by: Final Rulemaking published at 22 DCR 1901, 1904 (October 14, 1975); Final Rulemaking published at 32 DCR 4374, 4378 (July 26, 1985); Final Rulemaking published at 35 DCR 465, 467 (January 22, 1988); Final Rulemaking published at 40 DCR 1951 (March 19, 1993); and Final Rulemaking published at 47 DCR 9741-43 (December 8, 2000), incorporating by reference the text of Proposed Rulemaking published at 47 DCR 8335, 8420-21 (October 20, 2000).

822 SPECIAL EXCEPTIONS (M)

- 822.1 The uses in this section shall be permitted as special exceptions in the M District if approved by the Board of Zoning Adjustment under § 3104, subject to the provisions specified in this section.
- 822.2 Any establishment whose principal use is the administration of massages shall be permitted; provided:
 - (a) The establishment shall be compatible with other uses in the area;
 - (b) The use shall not be objectionable because of its effect on the character of the neighborhood or because of noise, traffic, or other conditions; and
 - (c) The establishment shall not have an adverse impact on religious, educational, or other institutional facilities located in the area.
- 822.3 Any establishment to be used as a solid waste handling facility shall be permitted only if the following requirements are met:
 - (a) No portion of the facility, including any structure, loading dock, truck bay, storage container, transfer equipment, or any other processing equipment or operation shall be located within three hundred feet (300 ft.) of a property in a Residence District used for residential purposes or located within fifty feet (50 ft.) of any adjacent property used as a public park or retail, office, or institutional purposes;

- (b) No truck access to or egress from the site shall be located within fifty feet (50 ft.) of any adjacent property used as a public park or for residential, retail, office, or institutional purposes;
- (c) The facility shall be designed to have access to a railway siding or spur to enable the transportation by rail of solid waste out of the District of Columbia. Solid waste shall be shipped from a facility by rail, except that shipping of solid waste by truck may be permitted by the Board, if the Board finds that the applicant has demonstrated by substantial evidence that the use of rail is not practically, economically, or physically feasible;
- (d) The site shall be of sufficient size so as to permit the avoidance or reduction of adverse impacts on the character of the neighborhood due to noise, traffic, parking, odors, rodents and other disease vectors, dust, litter, fire hazards, decomposition gases, vehicle and other pollution, or other hazards or objectionable conditions;
- (e) The applicant shall provide credible evidence to the Board to demonstrate the ability of the facility and its ancillary elements to comply with all applicable regulations. The evidence shall include, but not be limited to, the following:
 - (1) An indication of the site and description of land uses within one-fourth ($\frac{1}{4}$) of a mile of the site;
 - (2) A site plan showing the layout of the proposed facility, including main buildings, fences and screens, access to rail if available, street access, parking and queuing areas, and a functional diagram indicating the proposed use of the site;
 - (3) An operating plan indicating types of waste to be accepted at the facility and estimates of the volume and number of trips of incoming and outgoing materials daily and during peak periods;
 - (4) A plan for preventing and controlling offensive noises, odors, and rodents and other disease vectors;
 - (5) A traffic study that indicates truck routes to and from the facility on streets, to the extent possible, that are major arterials and highways that do not abut residential neighborhoods along the way, with the objective of minimizing potential adverse impacts on adjacent neighborhoods; and

- (6) A certified statement by an architect or engineer licensed in the District of Columbia that the facility as sited and designed to the best of his or her professional knowledge and belief is capable of complying with this subsection and all other applicable regulations of the District of Columbia government, including without limitation, regulations adopted pursuant to the Solid Waste Facility Permit Act of 1995, effective February 27, 1996 (D.C. Law 11-94, as amended; D.C. Official Code §§ 8-1051 to 8-1063 (formerly codified at D.C. Code §§ 6-3451 to 3463 (1999 Supp.)));
- (f) There shall be no truck access, parking, standing or queuing to the facility from any street or block-long portion of a street for which fifty percent (50%) or more of the abutting properties on either side are used for residential purposes. No truck dumping or picking up solid waste shall park, stand, or queue for the facility from any public right-of-way. Vehicular traffic resulting from operations at the facility shall not obstruct traffic. The location of the facility shall provide access from a paved street with a road base capable of withstanding anticipated load limits;
- (g) The facility shall also be subject to the "Standards of External Effects (C-M)" in § 804 and the District of Columbia Noise Control Act of 1977, effective March 16, 1978 (D.C. Law 2-53, as amended), and Standards, 20 DCMR chapters 27 - 29;
- (h) All solid waste handling activities, including depositing, processing, separation and loading shall be within a fully enclosed building to minimize the adverse impacts due to noise, traffic, parking, odors, rodents and other disease vectors, dust, litter, fire hazards, decomposition gases, wastewater, vehicle and other pollution, and other hazards or objectionable conditions;
- (i) The facility shall be enclosed on all sides by an opaque fence or wall at least ten feet (10 ft.) high. The facility shall be secured from unauthorized deposit and removal of solid waste or other materials when attendants are not present; and
- (j) The facility shall provide on-site parking and queuing as follows:
 - (1) Space shall be provided on-site to park each commercial vehicle operated by the facility;
 - (2) One employee parking space shall be provided for each commercial vehicle lawfully parked on the site after operating hours;
 - (3) If the facility serves the public, all parking and queuing space shall be provided on-site to accommodate projected peak demand; and

- (4) Additional parking, truck maneuvering, or queuing space may be required by the Board after considering the applicant's analysis of such needs and the reports of the D.C. Department of Transportation and the Office of Planning. However, at a minimum, the facility shall be configured in such a manner that trucks entering or leaving the facility shall not back in from or back out onto any public right-of-way.
- 822.4 The Board may proscribe or require specific operating hours for the facility and the use of any street or highway for trucks entering or leaving the facility to lessen traffic congestion and otherwise assure the quiet enjoyment of residential uses adjacent to a facility.
- 822.5 Nothing in this section shall preclude the Board from imposing additional or more strict conditions pertaining to design, screening, buffering, lighting, soundproofing, signs, or any matter necessary to protect adjacent property, and special consideration will be given to protecting residential property from excessive noise and traffic.
- 822.6 In determining whether to grant a special exception, the Board shall not take into consideration whether the District of Columbia government issued the applicant an interim operating permit for the facility. The granting of a special exception to a facility does not authorize that facility to operate, unless the facility has been granted all other forms of permission required for solid waste handling facilities, including, but not limited to, a valid interim operating permit or solid waste facility permit. A solid waste handling facility that has been granted a special exception remains obligated to abide by all laws applicable to solid waste handling facilities and is subject to all claims or enforcement actions that may arise from violations of the laws.
- 822.7 Any otherwise valid interim permit issued by the District government to the operator of a solid waste handling facility shall be given effect by the Board only during the pendency of the Board's consideration of an application. In the event the Board denies the application, the continued operation of the facility shall be unlawful. In the event the Board grants an application, it may provide the applicant a reasonable time in which to construct the facility as approved by the Board.
- 822.8 For purposes of this section, "solid waste" shall not include hazardous waste, which shall be subject to other regulations.
- 822.9 An Electronic Equipment Facility (EEF) that does not qualify as a matter-of-right use under § 801 may be permitted as a special exception.

- 822.10 An applicant seeking a special exception for an EEF shall demonstrate, in addition to the requirements of § 3104, that the proposed use will not, as a consequence of its design, operation, low employee presence, or proximity to other EEFs, inhibit future revitalization of the neighborhood, reduce the potential for vibrant streetscapes, deplete street life, or inhibit pedestrian or vehicular traffic.
- 822.11 In evaluating whether an EEF will have any of the adverse impacts described in § 822.10, the Board shall consider, in addition to other relevant factors, the:
- (a) Absence of retail uses or of a design capable of accommodating retail uses in the future;
 - (b) Presence of security or other elements in the design that could impair street life and pedestrian flow;
 - (c) Disruption of existing or elimination of officially proposed pedestrian or vehicular routes; and
 - (d) Inability of the EEF to be adapted in the future for permitted uses.
- 822.12 The Board, in weighing the potentially adverse factors listed in § 822.11(a) through (d), shall consider the economic development potential of the area in which the EEF is proposed to be established and shall give greater negative weight to these factors if the EEF is to be located in proximity to an existing or proposed Metrorail station or along a pedestrian corridor.
- 822.13 The Board may give positive weight to any economic benefits that the proposed EEF will have on adjacent properties, including the potential for increased business activity within the neighborhood, if that activity will foster economic development.
- 822.14 In approving an EEF, the Board may impose requirements pertaining to design, appearance, landscaping, parking, and other such requirements as it deems necessary to protect adjacent property and to achieve an active, safe, and vibrant street life.

SOURCE: § 6102.4 of the Zoning regulations, effective May 12, 1958; as amended by: Final Rulemaking published at 22 DCR 1901, 1904 (October 14, 1975); Final Rulemaking published at 45 DCR 1848, 1852-55 (March 27, 1998); Final Rulemaking published at 47 DCR 9741-43 (December 8, 2000), incorporating by reference the text of Proposed Rulemaking published at 47 DCR 8335, 8421-22 (October 20, 2000); Final Rulemaking published at 48 DCR 9830, 9837-38 (October 26, 2001); and Final Rulemaking published at 49 DCR 1655 (February 22, 2002), incorporating by reference Proposed Rulemaking published at 48 DCR 11159, 11163 (December 7, 2001).

823 PROHIBITED USES (M)

- 823.1 The following uses are prohibited in M Districts:

- (a) Abattoir or slaughter house;
- (b) Acetylene gas manufacture;
- (c) Ammunition and explosive manufacture or storage;
- (d) Animal rendering;
- (e) Arsenal;
- (f) Bituminous products refining or manufacture;
- (g) Bone products manufacture;
- (h) Calcium carbide manufacture;
- (i) Curing, tanning, or storage of hides;
- (j) Fertilizer manufacture;
- (k) Rock quarry or the excavation of rock for commercial purpose;
- (l) Rubber products manufacture or treatment;
- (m) Steel furnace, blast furnace, bloom furnace, coke oven, or rolling mill; and
- (n) Any other use with objectionable characteristics similar to those listed in this subsection.

SOURCE: § 6102.5 of the Zoning regulations, effective May 12, 1958; as amended by Final Rulemaking published at 47 DCR 9741-43 (December 8, 2000), incorporating by reference the text of Proposed Rulemaking published at 47 DCR 8335, 8422 (October 20, 2000).

824 ACCESSORY PARKING SPACES (M)

- 824.1** Accessory parking spaces, except for a motel, wholly within three hundred feet (300 ft.) of the lot or part of the lot on which the principal use is permitted, shall be permitted as a special exception in an M District when those parking spaces are approved by the Board of Zoning Adjustment in accordance with the requirements of §§ 213.3 through 213.5 and § 3104.

SOURCE: § 6101.8 of the Zoning regulations, effective May 12, 1958; as amended by Final Rulemaking published at 47 DCR 9741-43 (December 8, 2000), incorporating by reference the text of Proposed Rulemaking published at 47 DCR 8335, 8422 (October 20, 2000).

825 STANDARDS OF EXTERNAL EFFECTS (M)

- 825.1 All uses established in an M District under §§ 801.7 or 821.3, all Electronic Equipment Facility (EEF) uses established in an M District, and all uses accessory to those uses shall be operated to comply with the standards of external effects in this section.
- 825.2 The volume of sound inherently and recurrently generated shall not exceed the standards in §§ 825.3 through 825.6 at any point along the boundaries of the zone district in which the use is located.
- 825.3 Sound levels shall be measured with a sound level meter and associated octave band filter manufactured according to standards prescribed by the American Standards Association on May 12, 1958.
- 825.4 Objectionable sounds of an intermittent nature shall be controlled so as not to become a nuisance to adjacent uses.
- 825.5 Except as provided in § 825.6, maximum sound pressure levels shall not exceed those provided in the following table:

OCTAVE BAND (cycles per second)	MAXIMUM SOUND PRESSURE LEVEL IN DECIBELS (0.0002 dynes per square centimeter)
0-74	79
75-149	74
150-299	66
300-599	59
600-1,199	53
1,200-2,399	47
2,400-4,800	41
Above 4,800	39

- 825.6 Where an M District abuts a Residence, Special Purpose, or Commercial District, maximum sound pressure levels along the zone district boundary separating the M District from such districts shall not exceed the standards in § 804.6.
- 825.7 The emission of any smoke from any source whatever to a density greater than that permitted by the Fuel Burning Equipment Regulations in 12 DCMR art. 11 (1985) shall be prohibited.
- 825.8 The emission of any odorous gases or other odorous matter or steam in quantities that are offensive or noisome at any point along the boundaries of the District in which the use is located shall be prohibited.

- 825.9 No noxious, toxic, or corrosive fumes or gases shall be permitted to escape or be discharged from any building or other structure housing any use permitted in an M District.
- 825.10 No objectionable amounts of cinders, dust, or fly-ash shall be permitted to escape or be discharged from any building or other structure that houses any use permitted in an M District.
- 825.11 No direct or reflected glare or heat from any source shall be detectable in objectionable amounts beyond the boundaries of the zone district in which the use is located.
- 825.12 Every use shall be operated so that ground vibration inherently and recurrently generated is not perceptible, without instruments, at any point along any boundary of the zone district in which the use is located.
- 825.13 Where an Electronic Equipment Facility (EEF) use is proposed in an M District on a lot that abuts a Residence (R), Special Purpose (SP), Waterfront (W), or Mixed Use (CR) zoned property, the following conditions shall apply:
- (a) Use of barbed or razor wire that is visible from neighboring property or public space is prohibited; and
 - (b) Any back-up generators or power systems shall be either:
 - (1) Fully enclosed within the principal structure; or
 - (2) Located no closer than two hundred feet (200 ft.) from the nearest R, SP, W, or CR zoned property line.

SOURCE: § 6102.6 of the Zoning regulations, effective May 12, 1958; as amended by: Final Rulemaking published at 47 DCR 9741-43 (December 8, 2000), incorporating by reference the text of Proposed Rulemaking published at 47 DCR 8335, 8422-23 (October 20, 2000); Final Rulemaking published at 48 DCR 9830, 9838 (October 26, 2001); and by Final Rulemaking published at 49 DCR 1655 (February 22, 2002), incorporating by reference the text of Proposed Rulemaking published at 48 DCR 11159, 11164 (December 7, 2001).

826 EXTERNAL EFFECTS PERMIT APPLICATIONS (M)

- 826.1 When filing an application for a building permit or a certificate of occupancy with the Department of Consumer and Regulatory Affairs for a hotel or inn permitted in an M District under § 821.2 or for a use permitted under § 821.3, the applicant shall submit with the application three (3) copies of a site plan that shows buildings and other structures, roadways, drainage and sanitary facilities, parking spaces, loading berths, landscaping, exterior lighting (if any), and backup generators or power supplies (if any); and a description of any operations that would be affected by the standards of external effects in § 825.

- 826.2 The applicant shall submit other information as may be necessary to determine compliance with § 825.
- 826.3 The approved site plan shall become part of the building permit or certificate of occupancy.

SOURCE: § 6102.7 of the Zoning regulations, effective May 12, 1958; as amended by Final Rulemaking published at 47 DCR 9741-43 (December 8, 2000), incorporating by reference the text of Proposed Rulemaking published at 47 DCR 8335, 8422-23 (October 20, 2000); and Final Rulemaking published at 48 DCR 9830, 9838 (October 26, 2001).

827 - 839 [RESERVED]

840 HEIGHT OF BUILDINGS OR STRUCTURES (C-M, M)

- 840.1 Except as provided in § 840.2 and in chapters 20 through 25 of this title, the height of buildings or structures in an Industrial District shall not exceed that given in the following table:

ZONE DISTRICT	MAXIMUM HEIGHT (Feet)	MAXIMUM HEIGHT (Stories)
C-M-1	40	3
C-M-2	60	No Limit
C-M-3	90	No Limit
M	90	No Limit

- 840.2 Spires, towers, domes, pinnacles or minarets serving as architectural embellishments, penthouses over elevator shafts, ventilator shafts, antennas, chimneys, smokestacks, or fire sprinkler tanks may be erected to a height in excess of that which this section otherwise authorizes.
- 840.3 If housing for mechanical equipment or a stairway or elevator penthouse is provided on the roof of a building or structure, it shall be erected or enlarged as follows:
- (a) It shall meet the requirements of § 411;
 - (b) It shall be set back from all exterior walls a distance at least equal to its height above the roof upon which it is located; and
 - (c) It shall not exceed eighteen feet, six inches (18 ft., 6 in.), in height above the roof upon which it is located. Mechanical equipment shall not extend above the permitted eighteen foot, six inch (18 ft., 6 in.), height of the housing.

840.4 Housing for mechanical equipment or a stairway or elevator penthouse may be erected to a height in excess of that authorized in the District in which it is located.

840.5 Where required by the Act to Regulate the Height of Buildings in the District of Columbia, approved June 1, 1910 (36 Stat. 452, as amended; D.C. Official Code §§ 6-601.01 to 6-601.09 (formerly codified at D.C. Code §§ 5-401 to 5-409 (1994 Repl. & 1999 Supp.))), a height in excess of that permitted in that Act shall be authorized by the Council of the District of Columbia.

SOURCE: §§ 6201.1, 6201.2 and 6201.3 of the Zoning regulations, effective May 12, 1958; as amended by Final Rulemaking published at 33 DCR 3975, 3979 (July 4, 1986); and by Final Rulemaking published at 36 DCR 1509, 1523 (February 24, 1989); and Final Rulemaking published at 47 DCR 9741-43 (December 8, 2000), incorporating by reference the text of Proposed Rulemaking published at 47 DCR 8335, 8422-23 (October 20, 2000).

841 FLOOR AREA RATIO (C-M, M)

841.1 Except as provided in § 845, the maximum permitted floor area ratio of buildings in an Industrial District shall be given in the following table:

ZONE DISTRICT	MAXIMUM FLOOR AREA RATIO (FAR)
C-M-1	3.0
C-M-2	4.0
C-M-3	6.0
M	6.0

841.2 The bulk of a structure erected, altered, converted, or reconstructed for use as a mechanical parking garage, as determined by the floor area ratio for the district in which it is located, may be based upon the assumption that the finished-floor to finished-floor distance between floors is ten feet (10 ft.).

SOURCE: §§ 6301.1 and 6301.2 of the Zoning regulations, effective May 12, 1958; Final Rulemaking published at 47 DCR 9741-43 (December 8, 2000), incorporating by reference the text of Proposed Rulemaking published at 47 DCR 8335, 8424 (October 20, 2000).

842 REAR YARDS (C-M, M)

842.1 A rear yard shall be provided for each structure located in an Industrial District.

842.2 Except as provided in § 842.5, the rear yard need not be provided below a horizontal plane twenty feet (20 ft.) above the mean finished grade at the middle of the rear of the structure.

- 842.3 For that portion of the structure above the horizontal plane, the depth of rear yard may be measured as follows:
- (a) When the lot abuts an alley, from the center line of the alley to the rear wall of the portion immediately above the plane; or
 - (b) When the lot does not abut an alley, from the rear lot line to the rear wall of the portion immediately above the plane.
- 842.4 The minimum depth of the rear yard shall be two and one-half inches per foot (2.5 in./ft.) of vertical distance from the mean finished grade at the middle of the rear of the structure to the highest point of the main roof or parapet wall, but not less than twelve feet (12 ft.).
- 842.5 Where the rear lot line of a lot abuts a Residence District or is separated only by an alley from a Residence District, the waiver in § 842.2 shall not apply and a rear yard shall be provided from the ground up.
- 842.6 In the case of a through lot or a corner lot abutting three (3) or more streets, the depth of rear yard may be measured from the center line of the street abutting the lot at the rear of the structure.

SOURCE: §§ 6302.1 through 6302.5 of the Zoning regulations, effective May 12, 1958; as amended by Final Rulemaking published at 47 DCR 9741-43 (December 8, 2000), incorporating by reference the text of Proposed Rulemaking published at 47 DCR 8335, 8424 (October 20, 2000).

843 SIDE YARDS (C-M, M)

- 843.1 No side yard shall be required on a lot in an Industrial District, except where a side lot line of the lot abuts a Residence District.
- 843.2 Where a side lot line abuts a Residence District, a side yard shall be provided along that side lot line with a minimum width of at least three inches per foot (3 in./ft.) of height of building, but not less than eight feet (8 ft.).

SOURCE: § 6303.1 of the Zoning regulations, effective May 12, 1958; as amended by Final Rulemaking published at 47 DCR 9741-43 (December 8, 2000), incorporating by reference the text of Proposed Rulemaking published at 47 DCR 8335, 8424 (October 20, 2000).

844 COURTS (C-M, M)

- 844.1 Where a court is provided in an Industrial District, that court shall have the dimensions specified in this section.
- 844.2 An open court shall be at least two and one-half inches wide per foot (2.5 in./ft.) of height of court, but not less than six feet (6 ft.) wide.

844.3 A closed court shall be at least two and one-half inches wide per foot (2.5 in./ft.) of height of court, but not less than twelve feet (12 in.) wide.

844.4 A closed court shall have an area at least twice the square of the required width of court dimension based on the height of court, but not less than two hundred fifty square feet (250 ft.²).

844.5 In the case of an alteration affecting the amount of light and ventilation required by other municipal law or regulation in an existing building in any Industrial District, no legally required window shall be permitted to open onto a court that does not comply with the dimensions in §§ 844.1 through 844.4.

SOURCE: §§ 6304.1 and 6304.2 of the Zoning regulations, effective May 12, 1958; Final Rulemaking published at 47 DCR 9741-43 (December 8, 2000), incorporating by reference the text of Proposed Rulemaking published at 47 DCR 8335, 8425 (October 20, 2000).

845 ROOF STRUCTURES (C-M, M)

845.1 Section 411 shall be applicable to roof structures in the Industrial Districts.

845.2 The gross floor area of roof structures permitted under § 411 shall not be counted in determining the amount of off-street parking required elsewhere in this title.

SOURCE: §§ 6305.1 and 6305.2 of the Zoning regulations, effective May 12, 1958; Final Rulemaking published at 47 DCR 9741-43 (December 8, 2000), incorporating by reference the text of Proposed Rulemaking published at 47 DCR 8335, 8425 (October 20, 2000).